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OFFICIAL JOURNAL
OF THE
PLANT VARIETY
PROTECTION OFFICE



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PREFACE

The Plant Variety Protection Act, (7 U.S.C. 2321 et. seq.) authorizes the Secretary of Agriculture to publish an Official Journal and to provide the public with pertinent information relating to the operations of the Plant Variety Protection Office.

The statute also authorizes the Secretary to disseminate technological and other information available to the Office that would encourage innovation and promote progress in plant breeding.

The Official Journal, which is published quarterly, includes instructions issued by the Office and related information. It will be sent free to anyone on request. Send requests to:

Plant Variety Protection Office
Grain Division, AMS
U. S. Department of Agriculture
6525 Belcrest Road
Hyattsville, MD 20782

This issue covers the period from October 1 through December 31, 1975.

APPLICATIONS RECEIVED

<u>Application No.</u>	<u>Date</u>	<u>Name of applicant(s)</u>	<u>Name of kind</u>	<u>Name of variety (or designation)</u>
7600011	10/24/75	W. Atlee Burbee Company	marigold	Red Pygmy
7600012	10/20/75	(Permission to publish not rec'd.)	bean	Grand Canyon
7600013	11/10/75	Canners Seed Corporation	pea	#7025 Early Sweet
7600014	11/11/75	(Permission to publish not rec'd.)	lettuce	Gila
7600015	11/13/75	Canners Seed Corporation	pea	#5147 Dark Skin Perfection
7600016	11/14/75	Canners Seed Corporation	pea	#6060 Freezer
7600017	11/19/75	John A. Barton	soybean	Rupp-1
7600018	11/26/75	Ferry-Morse Seed Company	bean	Tidal Wave
7600019	"	Ferry-Morse Seed Company	bean	Aristocrat
7600020	"	Ferry-Morse Seed Company	bean	Torrent
7600021	12/1/75	(Permission to publish not rec'd.)	alfalfa	Olympic
7600022	"	" " " "	alfalfa	Atlas
7600023	"	" " " "	alfalfa	Citation
7600024	"	" " " "	alfalfa	Victor
**7600025	12/15/75	Greenbush Seed and Supply	wheat	2148 (2)
7600026	12/16/75	Morrison Brothers Seed Company	pea	Sagittarius

AMENDMENTS

<u>Application No.</u>	<u>Date</u>	<u>Name of applicant(s)</u>	<u>Name of kind</u>	<u>Name of variety (or designation)</u>
7500001	7/1/75	North American Plant Breeders	barley	Lud
7500002	"	North American Plant Breeders	barley	Georgie
**7600002	8/5/75	Purdue University A.E.S.	barley	Pike (3)
7600005	8/20/75	FFR Cooperative	soybean	FFR 555
7600006	"	FFR Cooperative	soybean	FFR 444
7600007	"	FFR Cooperative	soybean	FFR 111

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CERTIFICATES ISSUED AND NOVELTY BASED ON APPLICANT'S CLAIM

<u>Certificate No.</u>	<u>Issue date</u>	<u>Owner</u>	<u>Name of kind</u>	<u>Name of variety</u>
**7200040	Oct. 17, 1975	Mr. Steve Landry	rice	Golden Steve (1)
'Golden Steve' most closely resembles 'Nato' except that 'Golden Steve' has gold vs. straw-colored hulls, a more open panicle and greater lodging resistance than 'Nato.'				
7400045	Oct. 17, 1975	DeKalb AgResearch, Inc.	wheat	DeKalb 582M
'DeKalb 582M' is most similar to 'Quivira' except 'DeKalb 582M' has glabrous glumes vs. pubescent and Timopheevi cytoplasm vs. triticum cytoplasm. It also restores fertility to hybrids having Timopheevi cytoplasm; whereas, 'Quivira' does not.				
**7400068	Oct. 17, 1975	Cargill, Incorporated	wheat	Bounty 309 (3)
'Bounty 309' is most similar to 'Era.' 'Bounty 309' matures 3 to 4 days earlier, has larger spikes and a longer lemma and palea than 'Era.'				
7400077	Oct. 17, 1975	Rice Researchers, Inc.	rice	Kokubelle
'Kokubelle' most closely resembles 'Bluebelle' but 'Kokubelle' has straw versus gold colored hulls and straw versus light purple colored apiculus. 'Kokubelle' has the cooked grain flavor of 'Kokuho Rose.'				
7500041	Oct. 17, 1975	Ouali-Sel, Inc.	lettuce	Excell
'Excell' most closely resembles 'Empire' but 'Excell' has brown seed instead of black seed. 'Excell' reaches market maturity 3 days earlier than 'Empire.'				
7500056	Oct. 17, 1975	Agripro, Inc.	soybean	Agripro 20
'Agripro 20' is most similar to 'Amsoy 71,' except 'Agripro 20' has; (1) brown hilum compared to yellow for 'Amsoy 71;' (2) larger seed size (19 vs. 17 g/100); and (3) averages 3 inches shorter in plant height than 'Amsoy 71.'				

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7500069	Oct. 17, 1975	V. R. Seeds, Inc.	soybean	Classic I
'Classic I' most nearly resembles 'Hark.' 'Classic I' is 5 days later in maturity than 'Hark' and has a brown hilum; whereas, 'Hark' has a yellow hilum.				
7500072	Oct. 17, 1975	Asgrow Seed Company	bean	Pax
'Pax' is most similar to 'Eagle' except 'Pax' has a longer pod spur (15 mm. vs. 13 mm.), fewer primary branches (3 vs. 5) and more flowers on the raceme (6 vs. 4).				
7500046	Nov. 24, 1975	Rogers Brothers Seed Company	pea	Canjoy
'Canjoy' most closely resembles 'Medalist' but reaches canning maturity 2 days later than 'Medalist' and is resistant to powdery mildew; whereas, 'Medalist' is not resistant.				
7500054	Nov. 24, 1975	Rogers Brothers Seed Company	bean	Greenpak
'Greenpak' is most similar to 'Bush Blue Lake 274.' Plants of 'Greenpak' are 5 cm. shorter and are more erect than plants of 'Bush Blue Lake 274.' 'Greenpak' pods mature 3 days earlier than 'Bush Blue Lake 274' pods.				
7500068	Nov. 24, 1975	W. Brotherton Seed Company, Inc.	pea	Dane
'Dane' most closely resembles 'Alaska M-163' but 'Dane' has wrinkled seed and 'M-163' has smooth seed.				
7500096	Nov. 24, 1975	Keystone Seed Company	bean	Lake Seneca
'Lake Seneca' most closely resembles 'Lake Superior.' It differs from 'Lake Superior' as follows: Pods mature 3 days later; plants are narrower (49 cm. vs. 60 cm.); main stalk internodes are fewer (4 vs. 5-7); leaflet of first trifoliate leaf is larger (16.0 cm. x 11.5 cm. vs. 15.0 cm. x 9.0 cm.); pods after blanching are brighter and greener (spectral reflectance Y values 11.4 vs. 14.5 with dominant wave lengths of 556 mm. vs. 56 mm.)				

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**7400089	Nov. 24, 1975	Growers Seed Association	cotton	GSA 71 (3)
'GSA 71' is more similar to 'Blanco 3363' than to other varieties. Compared to 'Blanco 3363,' 'GSA 71' has intermediate foliage density (vs. dense); intermediate habit type (vs. compact); erect stem (vs. ascending); light green, pubescent leaves (vs. dark green, light pubescence); sparse seed fuzz (vs. heavy); boll length equals width (vs. length is less than width); and is susceptible to Bacterial Blight Race II (vs. resistant).				
**7400107	Nov. 24, 1975	Nebraska A.E.S.	wheat	Homestead (3)
'Homestead' is most similar to 'Sentinel' wheat. 'Homestead' is moderately resistant to soil-borne mosaic and 'Sentinel' is susceptible.				
**7400109	Nov. 24, 1975	Nebraska A.E.S.	wheat	Sentinel (3)
'Sentinel' is most similar to 'Homestead' wheat. 'Sentinel' is susceptible to soil-borne mosaic and 'Homestead' is moderately resistant.				
7500045	Nov. 24, 1975	Western Valley Seed Company	pea	Green Sugar
'Green Sugar' most closely resembles 'Scout' but differs by having edible pods and is resistant to enation and streak viruses; whereas, 'Scout' is not.				
7200108	Nov. 24, 1975	W. Atlee Burpee Company	snapdragon	Bright Scarlet
'Bright Scarlet' is of the "Super Tetra" type. It is distinguished from the other varieties of the group by its red flower color (brighter than Red 46B, Royal Horticultural Society Colour Chart).				

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7400044	Nov. 24, 1975	DeKalb AgResearch, Inc.	wheat	DeKalb 581M
'DeKalb 581M' is most similar to 'DeKalb 582M.' However, 'DeKalb 581M' has pubescent glumes and 'DeKalb 582M' has glabrous glumes.				
Of formerly established varieties 'DeKalb 581M' is most similar to 'Quivira.' However, 'DeKalb 581M' has Timopheevi cytoplasm and restores fertility to hybrids having Timopheevi cytoplasm while 'Quivira' has Triticum cytoplasm and does not restore fertility to hybrids having Timopheevi cytoplasm.				
7400052	Nov. 24, 1975	Asgrow Seed Company	cauliflower	Olympus
'Olympus' most closely resembles 'Snowball Y' but 'Olympus' matures about 10 days later.				
**7400088	Nov. 24, 1975	Growers Seed Association	cotton	Stripper 31A(3)
'Stripper 31A' is more similar to 'Tancot SP21' than to other varieties. Compared to 'Tancot SP21,' 'Stripper 31A' has erect, light green stems (vs. red, ascending); pubescent, light green leaves (vs. glabrous, dark green); finely pitted bolls with length equals width (vs. coarsely pitted and length is greater than width); stormproof boll type (vs. storm resistant); and is tolerant to Bacterial Blight Race I, Verticillium Wilt and seedling disease (vs. resistant to each of these diseases).				
7100010	Dec. 12, 1975	W. Atlee Burpee Company	marigold	Redcoat
'Redcoat' most closely resembles 'Fireglow.' Mature leaves of 'Redcoat' are larger than those of 'Fireglow' (110 mm x 85 mm vs. 85 mm x 58 mm). 'Redcoat' flowers appear 10 days later than 'Fireglow.'				
7100086	Dec. 12, 1975	W. Atlee Burpee Company	sweetpea	Lavender Delight

'Lavender Delight' is of the 'Galaxy' type. It differs from the other varieties of the type by its flower color. The standard is closest to Purple 75A and the wing is closest to Purple 76A of the Royal Horticultural Society Colour Chart. The keel is paler and more creamy than either of these colors.

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**7300060	Dec. 12, 1975	Cargill, Incorporated	safflower	Cargill Dwarf 101 (3)
'Cargill Dwarf 101' is most like 'Frio' but 'Cargill Dwarf 101' is dwarf vs. normal height (37-56 vs. 72-109 cm.), and has orange vs. yellow dry flowers as compared to 'Frio.'				
7400033	Dec. 12, 1975	W. Atlee Burpee Company	zinnia	Ruffled Jumbo Scarlet
'Ruffled Jumbo Scarlet' most closely resembles 'Red Man.' It is a tetraploid version of 'Red Man' having flowers at least 25 mm larger in diameter and plants that are 8 cm taller.				
**7400062	Dec. 12, 1975	Mississippi Agricultural and Forestry Experiment Station	soybean	Tracy (3)
'Tracy' is resistant to all 4 races (1, 2, 3, and 4) of <u>Phytophthora megasperma</u> . 'Tracy' most closely resembles 'Lee 68' which is susceptible to race 4 of <u>Phytophthora megasperma</u> .				
7400075	Dec. 12, 1975	Rice Researchers, Inc.	rice	Tsuru Mai
'Tsuru Mai' most closely resembles 'Kokuho Rose' except 'Tsuru Mai' is shorter (38.5 vs. 54 inches) and heads earlier (95 vs. 105 days) than 'Kokuho Rose.'				
**7400099	Dec. 12, 1975	World Seeds, Inc.	wheat	W.S. 1 (3)
'W.S. 1' is most similar to 'Gaines,' but they differ in the following characters: 'W.S. 1' is late spring, with wanting shoulders, deep crease and semi-hard kernels. 'Gaines' is mid-season and winter habit, with rounded shoulders, shallow crease and soft kernels.				
7500067	Dec. 12, 1975	Ring Around Products, Inc.	soybean	RA-526
'RA-526' most closely resembles 'Mack;' however, seeds of 'RA-526' have dark brown hila; whereas, seeds of 'Mack' have black hila.				

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GENERAL INFORMATION

Progress Report

As of January 1, 1976, the Plant Variety Protection Office had received 600 applications for protection, of which 26 were received in the preceding 6 months, 54 were from experiment stations, and 49 were from foreign sources. The 600 applications received consisted of 60 percent agricultural, 27 percent vegetable, and 13 percent flower varieties. A total of 248 certificates have been issued, of which 40 were issued since July 1, 1975. Of all certificates issued on agricultural seed, 90 percent specified that the variety was to be sold by variety name only as a class of certified seed. A total of 118 of the 600 applications filed have been abandoned, withdrawn, or were found to be ineligible.

There were 234 applications pending as of January 1, 1976.

Plant Variety Protection Board

New officers and members of the Plant Variety Protection Board were appointed and announced on December 23. The appointments are for two-year terms.

Richard L. Feltner, Assistant Secretary of Agriculture, will serve as Chairman; Howard H. Woodworth, Deputy Director of the Agricultural Marketing Service's (AMS) Grain Division, will be Vice Chairman; and Stanley F. Rollin, Commissioner of the AMS Plant Variety Protection Office, will be Executive Secretary.

Members of the board are: Roy O. Becker, Columbus, Ohio; W. E. Bisgaard, Holtville, Calif.; Leland W. Briggles, Beltsville, Md.; Warren E. Culbertson, Sahuarita, Ariz.; J. Frank Ford, Jr., Hereford, Tex.; Henry R. Fortmann, University Park, Pa.; Jake Hartz, Jr., Stuttgart, Ark.; Charles F. Lewis, Beltsville, Md.; Harold D. Loden, Washington, D.C.; James L. Paulk, Union Springs, Ala.; Foil McLaughlin, Raleigh, N.C.; Dale Porter, Des Moines, Iowa; George R. Walker, Stoneville, Miss.; and Allenby L. White, Minneapolis, Minn.

New Application Form

A new revised application form for applying for plant variety protection is at the printers and will be in use as soon as a supply is received. The new form will eliminate the present Exhibit B-Botanical Description of the Variety which has largely been a repetition of the characteristics of the variety contained in Exhibit C. Any botanical characteristics not shown in Exhibit C will henceforth be attached to Exhibit C. In addition, Exhibit E-Statement of Basis of Applicant's Ownership will be eliminated and the statement of ownership will be included on the form. Other changes will include a revision of the instructions and rearrangement of some items on the form. Use of the previous forms will not be barred but use of the new forms will simplify the procedures for both the applicants and the examiners.

Reciprocity - South Africa

The Republic of South Africa has published its reciprocity arrangements with the United States on seed-reproduced plants so that reciprocity is now effective in both directions. This means that United States nationals can apply for protection in South Africa and South Africa nationals can apply for protection in the United States. Applications are permitted only on those species considered of economic importance and protectable in the Republic of South Africa. Certificates issued will be for 15 years protection and will not include a specification that the variety is to be sold by variety name only as a class of certified seed.

Reciprocity agreements were previously concluded with the Federal Republic of Germany, The Netherlands, and the United Kingdom.

"Abandoned" Applications

Owners of abandoned, withdrawn, and ineligible applications were recently asked whether they had any objection to our publishing the fact that such applications had been abandoned.

Considerable confusion exists with State Certification and State seed control officials because this Office has not been publishing information showing that certain applications for protection have been abandoned, withdrawn, or were declared ineligible. As a result, the only way the officials or the public can determine, by reading the Official Journal, whether an application has been abandoned is by comparing the lists of "pending applications" and the lists of "certificates issued" in the annual indexes.

Section 180.18(c) of the regulations and rules of practice under the Plant Variety Protection Act authorizes the Commissioner to publish decisions on abandoned applications at the Commissioner's discretion. It is required that 30-days notice be given to the applicant to present objections.

To avoid the confusion which now exists, this Office is planning to publish in the annual index of the Official Journal a list of "abandoned" applications. In publishing the list, no distinction will be made between applications which have been abandoned for "failure to respond within the time limit" and those "voluntarily abandoned," or declared "ineligible." The applications would merely be listed with the heading "Abandoned," "Withdrawn," or "Ineligible." The list will not show the name of the applicant, as the name of the kind and variety and the application number will be sufficient for identification purposes.

UPOV Update

As indicated in the last two issues of the Official Journal, an 8-delegate mission from the International Union for the Protection of New Varieties of Plants (UPOV) visited the U.S.

September 2-12, 1975, to study our plant variety protection systems. They visited with private and public breeders and government offices in Minneapolis, Minnesota; Des Moines, Iowa; DeKalb, Illinois; Washington, D.C.; Warminster, Pennsylvania; West Grove, Pennsylvania; Princeton, New Jersey; Ithaca, New York; and Rochester, New York .

A meeting of the UPOV Committee of Experts on the Interpretation and Revision of the Convention is scheduled for February 16-20, 1976, in Geneva, Switzerland. This meeting will discuss the changes that will be necessary in the UPOV convention (constitution) to enable the U.S. and other countries to qualify for membership. Accordingly, a delegation from the U.S. will attend.

Down Under

The Commissioner accompanied an FAS-ASTA seed team to Australia and New Zealand in November to take part in a series of seminars on plant variety protection. Seminars were held in Brisbane, Toowoomba, Sydney, Melbourne, Adelaide, and Canberra, Australia, and in Christchurch and Palmerston North, New Zealand. New Zealand has a plant variety protection law. Australia does not. Australia has a constitutional problems in adopting a Federal law which may require each State to adopt a uniform State law.

UNITED STATES
DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Grain Division, Plant Variety Protection Office
6525 Belcrest Road
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